

1 IN THE UNITED STATES DISTRICT COURT FOR

2 THE SOUTHERN DISTRICT OF NEW YORK

3 Civil Action No. 1:16-cv-05165 (ER)

4 -----x

5 MARIA VECCHIO, individually and on behalf

6 of all others similarly situated,

7 Plaintiffs,

8 -against-

9 QUEST DIAGNOSTICS INC., EXAMONE WORLD

10 WIDE, INC., and EXAMONE LLC,

11 Defendants.

12 -----x

13 February 22, 2019

14 10:00 a.m.

15 DEPOSITION of MARIA VECCHIO, taken by
16 the Defendants, pursuant to Notice, held
17 at the offices of Baker & McKenzie, LLP,
18 452 Fifth Avenue, New York, New York,
19 before Debbie Zaromatidis, a Shorthand
20 Reporter and Notary Public of the State of
21 New York.

1 A. Depending on how many applicants
2 I was assigned and based off of the
3 paperwork that needed to be printed out,
4 it would vary between 30 minutes to an
5 hour, and if it was something that
6 was -- if the packet was more than a
7 hundred pages I would have to make sure I
8 get myself to the office or get myself to
9 a Staples to print it out.

10 Q. Go back to Exhibit No. 3.
11 Actually I will wait. You don't need to
12 look at that now.

13 So you stated this preexam prep
14 work would take 30 minutes to one hour to
15 complete?

16 A. Thirty minutes to an hour to
17 complete in -- yes, based off of what is
18 being -- what is being assigned to me.

19 Q. So the amount of time could
20 vary?

21 A. Correct.

22 Q. What would cause it to vary?

23 A. Depending on what the
24 requirements are for each patient, it

1 because of traffic and where the patients
2 were. Maybe it would -- sometimes it was
3 10 minutes because it was around the
4 corner from my house.

5 Q. When you lived in Staten Island,
6 were most of your exams performed in
7 Staten Island?

8 MS. MARLOW: Objection to form.

9 A. When I lived in Staten Island
10 all the that I did in Staten Island were
11 in Staten Island.

12 Q. When you lived in Staten Island
13 you also did exams in Manhattan?

14 A. Yes.

15 Q. Where did most of your exams
16 take place while you lived in Staten
17 Island?

18 MS. MARLOW: Objection to form.

19 A. Reask the question.

20 Q. When you lived in Staten Island,
21 one of your territories was various zip
22 codes in Staten Island, correct?

23 A. When I only did exams in Staten
24 Island, yes.

1 care of anything that I needed -- the
2 expenses that I was using for the car, and
3 it was a favor for me to be able to use
4 his car.

5 Q. And so the reason you choose to
6 perform exams in the city was the public
7 transportation was more available?

8 MS. MARLOW: Objection to form.

9 A. No. I like a change of
10 scenery. I like the city. I like
11 diversity. I like -- I have -- I like
12 working in the city. That -- I don't
13 like working on the Island.

14 Q. What would you estimate the
15 longest you ever spent traveling to your
16 first exam for the day was?

17 A. Where are we talking, Staten
18 Island or Manhattan?

19 Q. How about we do Staten Island
20 first, Manhattan second.

21 A. The longest time to get to an
22 exam on Staten Island again ranged from 15
23 to 30 minutes based off where they were.
24 Staten Island is a very big place, but

1 there is a lot of traffic. Manhattan
2 again an hour to an hour and 15, 30
3 minutes, an hour an 30 minutes based off
4 of traffic and where I had to go and what
5 bus I was on.

6 Q. Give me an estimate of the time
7 you would spend traveling from exam to
8 exam during the course of a work day?

9 A. Time frame between exam to exam?

10 Q. Yes. So now you are at your
11 first exam, and you have other exams
12 during the day, and you have to travel
13 from one exam to the next one; is that
14 correct?

15 A. It would be based off of where I
16 am going. Usually half the time I was
17 scheduled, and my one exam would be in say
18 the west side by the highway where there
19 was no trains. You had to walk, you
20 know, that way to get to the appointment,
21 but then you had to walk back three blocks
22 to get to a train to go into the train to
23 go to the next appointment. So you are
24 looking at at least -- I am a fast worker.

1 I am a New Yorker, so probably time frame
2 from door to door to patient to patient at
3 least 30 minutes, and that is not if the
4 train stalls or you are sitting waiting
5 for a train or, you know, if you miss the
6 train when you first get down there.

7 Q. Did the travel time patient to
8 patient differ between Staten Island and
9 the city?

10 A. Yes.

11 Q. What would the typical travel
12 time be patient to patient in Staten
13 Island?

14 A. Fifteen to thrity minutes based
15 off of where I had to go.

16 Q. What would the typical travel
17 time patient to patient be in the city?

18 A. Patient to patient again 30
19 minutes, maybe 45 depending on where I had
20 to go.

21 Q. While you worked for Examone,
22 did they try to schedule the exams close
23 to each other to minimize the amount of
24 travel time?

1 Q. And would you do all of this
2 post exam work immediately when you got
3 home?

4 A. Occasionally I would use the
5 bathroom, but yes.

6 Q. Approximately how long would you
7 spend doing this post exam work?

8 A. It varied depending on how much
9 workload I had. It would take up to two
10 to three hours tops based off of what
11 I -- I had for that day. Again, it
12 varied.

13 Q. What is the quickest or fastest
14 it could take?

15 A. Depending on workload?

16 Q. Yes. So, for example, I am
17 assuming if you have one exam in a day,
18 the length of time or amount of time it
19 takes to perform the post exam work is
20 shorter than if you had eight exams a day.

21 A. Probably I would say if it was a
22 para medical exam, which is a medical
23 breakdown, that is more than four pages on
24 top of the req, which was five, on top of

1 any HIPAA or HIV consents that's five, six
2 -- that is six, seven pages I would have
3 to scan in in order to upload into a PDF
4 and then upload into the system. So you
5 are thinking between 15 to 30 minutes
6 depending on how my Wifi decides to act
7 that day.

8 Q. Is it fair to say the post exam
9 work would take anywhere from 15 to 30
10 minutes on the low end to two to three
11 hours on the high end?

12 MS. MARLOW: Objection to form.

13 A. Yes.

14 Q. Earlier we talked about the
15 preexam prep work. Do you remember that?

16 A. Yes.

17 Q. Would you do preexam prep work
18 after you would do the post exam? What
19 was your practice?

20 A. It was right after.

21 Q. So would you get home, do the
22 post exam work, and then you turn to the
23 preexam prep work?

24 A. I am already in the system, yes.